REMARKS

This Response is accompanied by a Request for a Three-Month Extension of Time, and by payment of the extension fee for a small entity.

The Examiner has rejected pending claims 1-5, 9-10, 16-18, 21, 23, 28-38, 40-45, 47, 50 and 55-64, under 35 U.S.C. §103(a) as being considered unpatentable over U.S. Patent Publ. No. 2001/0034662 ("Morris") in view of the cited 1995 publication authored by James J. Brown, entitled "Judgment Enforcement" (hereinafter, "Brown"). However, as will be explained below, the Brown text fails to suggest modification of the Morris reference in the manner proposed by the Examiner.

The Morris reference describes a method for selling debt accounts to one or more potential buyers using a computer network. On page 4 of the Office Action, the Examiner notes that the Morris specification includes the following statement:

> "The step of grouping the lots 78 preferably further includes the step of receiving from the seller at least one criterion upon which the accounts are to be grouped into lots. (e.g., by region, state or two-digit ZIP code)."

The Examiner states, based upon the above-quoted statement, that Morris teaches the classification of bad debt items "based on a geographic territory (region, state or ZIP code)." Nonetheless, on page 5 of the Office Action, the Examiner concedes that Morris fails to teach the classification of bad debt items based on the geographic territory "where said debtor resides."

The cited legal publication by Brown relates generally to the enforcement of judgments. The Examiner has referenced particular pages of Brown, namely, page 1-19 through page 1-20; pages 2-6, 2-7, 2-8; and page 4-13.

Pages 1-19 and 1-20 of Brown relate to nationwide enforcement of debts owed to the U.S. Government. At page 1-19, Brown notes that the Federal Debt Collection Procedures Act includes a provision whereby a debtor who is sued in a jurisdiction that is not the district of the debtor's residence may request transfer of such proceeding to the district of the debtor's residence. Pages 1-

19 and 1-20 do not relate to classification of debts, nor to the auction of debts. The U.S. Government does not typically buy or sell bad debts. The discussion by Brown concerning a judgment debtor's ability to transfer an enforcement action brought by the Federal Government to the debtor's district of residence does not suggest the classification of auctioned debts in accordance with the debtor's residence.

Page 2-6 of the Brown treatise mentions a review of a creditor's file on a debtor to identify assets that might be used to satisfy a judgment. However, this review is for the purpose of locating assets, and not to determine the debtor's residence. The Examiner states that pages 2-7 and 2-8 suggest that the residence of the debtor is typically set forth in a creditor's file on a debtor. While it is true that a debtor's residence address will, in some cases, be found in a creditor's file on a debtor, the focus of pages 2-7 and 2-8 of Brown is to locate assets of a judgment debtor. Thus, even if these pages of Brown were to suggest classification of bad debts according to location of the debtor's assets (which Applicant does not concede), they certainly do not suggest the classification of bad debts according to the residence of the debtor.

Finally, the Examiner's reliance on page 4-13 of Brown does not support the Examiner's obviousness rejection. Page 4-13 of Brown appears to relate to a provision of the debt collection laws of the State of Florida wherein a creditor who has already secured a judgment may move the court for an Order compelling the judgment debtor to appear for a debtor examination to determine what property the debtor owns. This Florida law apparently limits the scope of such an Order to an examination of the debtor "in the debtor's county of residence" after a judgment has already been obtained by a creditor against the judgment debtor. Again, this disclosure in the Brown treatise hardly suggests the modification of the principal Morris reference to classify bad debt items according to the residence of the debtor. Morris is concerned with the sale of bad debt accounts, not the sale of legal judgments already obtained against debtors. The provision of the Florida law mentioned by Brown regarding the location of judgment debtor examinations does not suggest, to those skilled in the art, modifying the method disclosed by Morris for selling bad debt accounts to classify debt accounts in accordance with the debtor's residence.

At page 24 of the Office Action, the Examiner has also rejected pending claims 6, 11 and 19 under 35 U.S.C. §103(a) as being considered unpatentable over Morris and Brown in further view of Rivkin. The method recited by dependent claims 6, 11 and 19 includes the steps recited by independent claim 1, including the step of "classifying said bad debt item based on a geographic territory where said debtor resides." Accordingly, claims 6, 11 and 19 are patentably distinct from the prior art for at least the reasons already set forth above.

At page 27 of the Office Action, the Examiner has also rejected pending claims 8, 13-15 and 22 under 35 U.S.C. §103(a) as being considered unpatentable over Morris and Brown in further view of Keyes Pat. No. 6,456,983. The method recited by dependent claims 8, 13-15 and 22 includes the steps recited by independent claim 1, including the step of "classifying said bad debt item based on a geographic territory where said debtor resides." Accordingly, claims 8, 13-15 and 22 are patentably distinct from the prior art for at least the reasons already set forth above.

At page 29 of the Office Action, the Examiner has also rejected pending claims 24 and 25 under 35 U.S.C. §103(a) as being considered unpatentable over Morris and Brown in further view of Atkinson's U.S. patent application published under Publ. No. 2001/0021923 ("Atkinson") . The method recited by dependent claims 24 and 25 includes the steps recited by independent claim 1, including the step of "classifying said bad debt item based on a geographic territory where said debtor resides." Accordingly, claims 24 and 25 are patentably distinct from the prior art for at least the reasons already set forth above.

At pages 31-32 of the Office Action, the Examiner has addressed arguments that were previously submitted by Applicant in response to the Examiner's prior grounds for rejection. The Examiner states, at page 31, that a purchaser would want "any information the could impact their future ability to collect on said debt accounts". Even if this broad statement were true, it hardly provides specific guidance to those skilled in the art to modify the cited Morris disclosure to classify bad debts according to the debtor's residence.

On page 32 of the Office Action, the Examiner argues that it would have been obvious to those skilled in the art to combine Brown with Morris. In this regard, it should be sufficient to note

that, even were it obvious to combine the cited Brown treatise with the Morris reference, the proposed combination would not result in any classification of bad debt accounts in accordance with the residence of the respective debtor, as called for by the pending claims.

In view of the foregoing arguments, Applicant respectfully submits that the cited prior art references, whether considered alone or in combination, fail to disclose or suggest the invention recited by pending claims 1-6, 8-11, 13-19, 21-25, 28-38, 40-45, 47, 50, and 55-64. Accordingly, Applicant respectfully requests that the Examiner withdraw the pending rejections, and issue an early notice of allowance.

Respectfully submitted,

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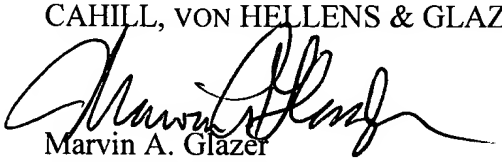

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Docket No. 6589-A-3